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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/087,432	03/01/2002	Sung-Fei Wang	U 013887-9	3547	
75	590 06/06/2002				
Ladas & Parry 26 West 61st Street			EXAMINER		
New York, NY			MITCHELL, JAMES M		
			ART UNIT	PAPER NUMBER	
			2827		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application No. Application No. 10/087/432 WANG ET AL. Examiner Art Unit James Mitchell 2827 Art Unit James Mitchell 2			: Xc				
## Defice Action Summary ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period from the mailing date of this communication. If the period from the property applicated active is last an entirely (days, a reply whether be statuctory militarium of thirty (50) days will be corectored simely. If the period from the period is last an entirely (days, a reply whether be statuctory militarium of thirty (50) days will be corectored simely. If the period from the mailing date of this communication. Faiture to reply whithin the set or outsided period for reply skil, by shalled, cause the application be become 8.84NDHED (31 U. S.C. § 13 is communication. Faiture to reply whithin the set or outsided period for reply skil, by shalled, cause the application between 8.84NDHED (32 U. S.C.) at 13 cc. Faiture to reply whithin the set or outsided period for reply skil, by shalled, cause the application between 8.84NDHED (32 U. S.C.) at 13 cc. Faiture to reply whithin the set or outsided period for reply skil, by shalled, cause the application between 8.84NDHED (32 U. S.C.) at 13 cc. Faiture to reply whithin the set or outsided period for reply skil, by shalled, cause the application between 8.84NDHED (32 U. S.C.) at 13 cc. In section is FINAL. 2b) This action is PinAth. 2b) This action is non-final. 3c) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4c) Claim(s) 1/2 isfare pending in the application. 4c) Claim(s) 1/2 isfare pending in the application of Claims 4c) Claim(s) 1/2 isfare pending in the application is objected to by the Exami	J	Application No.	Applicant(s)				
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Application/Control Number: 10/087,432

Art Unit: 2827

DETAILED ACTION

This office action is in response to supplemental papers filed May 3, 2000.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (APA).

The admitted prior art (Fig 1a; Page 1) discloses a stacked semiconductor chip package comprising: a substrate (11), a first chip (12) mounted on the substrate and electrically connected to the substrate by a plurality of electrical leads (wires, not labeled), a second chip (14) connected to said substrate by a plurality of leads (wires, not labeled) and having two opposed longitudinal sides defining a first length, a plate

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(13) mounted between the first and the second chip and connected to said first chip and said second chip corresponding to the two longitudinal sides of said second chip, the plate having two opposed longitudinal sides defining a second length with the first chip defining a third length; said first chip, second chip and plate further having two opposed traverse sides defining a first, second and third width.

APA does not appear to disclose the second length being larger than the first length to expose the opposed longitudinal sides of the plate, the first chip with two longitudinal sides defining a third length larger than the second length, the width of the plate being smaller than the width of the second chip, or that the second width is smaller than the third width.

In any case, it would have been an obvious matter of design choice bounded by well known manufacturing constraints and ascertainable by routine experimentation and optimization to choose these particular dimensions because applicant has not disclosed that the dimensions are for a particular unobvious purpose, produce an unexpected result, or are otherwise critical, and it appears prima facie that the process would possess utility using another dimension. Indeed, it has been held that mere dimensional limitations are prima facie obvious absent a disclosure that the limitations are for a particular unobvious purpose, produce an unexpected result, or are otherwise critical. See, for example, In re Rose, 220 F.2d 459, 105 USPQ 237 (CCPA 1955); In re Rinehart, 531 F.2d 1048, 189 USPQ 143 (CCPA 1976); Gardner v. TEC Systems, Inc., 725 F.2d 1338, 220 USPQ 777 (Fed. Cir. 1984), cert. denied, 469 U.S. 830, 225 USPQ 232 (1984); In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Mitchell whose telephone number is (703) 305-0244. The examiner can normally be reached on M-F 10:30-8:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on (703) 305-9883. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3432 for regular communications and (703) 305-3230 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

jmm

June 4, 2002

DAVID E. GRAYBILL